

MAR. 29. 2004

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TTC-PA 650-326-2422

NO. 328

P. 5/12

Attorney Docket No.: 021970-000610US  
Client Ref. No.:

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	METHOD AND SYSTEM FOR STATEFUL STORAGE PROCESSING IN STORAGE AREA NETWORKS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/888,848, filed on October 17, 2003,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor 1	<u>Kumar Sundararajan</u>	Date:	<u>2/18/04</u>
Signature:	<u>[Signature]</u>	Citizen of:	<u>United States</u>

Inventor 2	<u>Dharmesh Shah</u>	Date:	<u>2/18/2004</u>
Signature:	<u>[Signature] D.R.</u>	Citizen of:	<u>India</u>

Inventor 3	<u>Sanjay Sawhney</u>	Date:	<u>2/18/04</u>
Signature:	<u>[Signature]</u>	Citizen of:	<u>United States</u>

Inventor 4	<u>Atul Pandit</u>	Date:	<u>2/18/04</u>
Signature:	<u>[Signature]</u>	Citizen of:	<u>India</u>

☒ Additional inventors are being named on additional form(s) attached hereto.

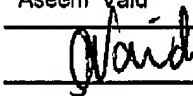
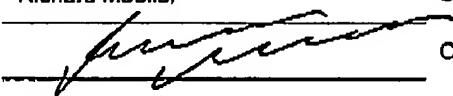
60141445 v1

Attorney Docket No.: 021970-000610US  
Client Ref. No.:

PTO/SB/01A (06-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –  
ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
(Total of 1 forms are submitted.)**

## FULL NAME OF INVENTOR(S)

Inventor 5:	Aseem Vaid	Date:	2/19/2004
Signature:		Citizen of:	<del>India</del> USA
Inventor 6:	Richard Moeller	Date:	2/18/04
Signature:		Citizen of:	United Kingdom
Inventor 7:		Date:	
Signature:		Citizen of:	
Inventor 8:		Date:	
Signature:		Citizen of:	

60141445 v1



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PTO/SB/81 (09-03)

<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	10/688,848
	Filing Date	October 17, 2003
	First Named Inventor	Sundararajan, Kumar
	Title	METHOD AND SYSTEM FOR STATEFUL STORAGE PROCESSING IN STORAGE AREA NETWORKS
	Art Unit	2131
	Examiner Name	
	Attorney Docket Number	021970-000610US

I hereby appoint:

☒ Practitioners associated with the Customer Number **20350**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		ZIP
Country				
Telephone		Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

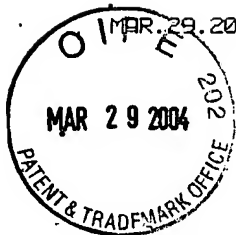
**SIGNATURE of Applicant or Assignee of Record**

Name	<i>Vincent A. McCondy</i>		
Signature	<i>Vincent A. McCondy</i>		
Date	<i>2/19/04</i>	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☐ Total of \_\_\_\_\_ forms are submitted.

60141456 v1



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PTO/SB/86 (08-03)

Attorney Docket No. 021970-000610US

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Kumar Sundararajan et al.Application No./Patent No.: 10/688,848/ Filed/Issue Date: October 17, 2003 /Entitled: METHOD AND SYSTEM FOR STATEFUL STORAGE PROCESSING IN STORAGE AREA NETWORKSNeoscale Systems, Inc. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 19, 2004

Date

408-586-1362

Telephone number

Vincent A. Mc Cord

Typed or printed name

Vincent A. Mc Cord

Signature

V.P. Chief Financial Officer

Title

60141679 v1

**COPY**

Attorney Docket No.: 021970-000610US

**ASSIGNMENT OF PATENT APPLICATION****JOINT**

WHEREAS, Kumar Sundararajan of 34336 Eucalyptus Terrace, Fremont, CA 94555; Dharmesh Shah of 498 Suisse Drive, San Jose, CA 95123; Sanjay Sawhney of 21071 Grenola Drive, Cupertino, CA 95014; Atul Pandit of 825 East Evelyn Avenue #410, Sunnyvale, CA 94086; Aseem Vaid of 1031 Craig Drive, San Jose, CA 95129; Richard Moeller of 1525 DeAnza Way, San Jose, CA 95125 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:           **METHOD AND SYSTEM FOR STATEFUL STORAGE  
PROCESSING IN STORAGE AREA NETWORKS**

Date(s) of execution of Declaration:

Filing Date:                   October 17, 2003

Application No.:              10/688,848; and

WHEREAS, NeoScale Systems, Inc. located at 1500 McCandless Drive, Milpitas, CA 95035, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

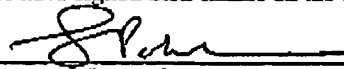
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 2/18/2004

  
Kumar Sundararajan

Assignment  
Attorney Docket No.: 021970-000610US  
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Dated: 2/18/2004

Dated: 2/18/04

Dated: 2/18/04

Dated: 2/19/04

Dated: 2/18/04

slh D.R.

Dharmesh Shah

Sanjay Sawhney

Sanjay Sawhney

Anil Pandit

Anil Pandit

Aseem Vaid

Aseem Vaid

Richard Moeller

Richard Moeller

60141447 v1